

REMARKS

Entry of the foregoing, and further and favorable consideration of the claims, in light of the foregoing amendments and the following remarks, are respectfully requested.

By the present amendment, Claim 30 has been amended to recite that the diagnostic kit is for "the differential diagnosis of North American and European" PRRSV strains, as disclosed at page 41, ll. 8-25 (and particularly at ll. 24-25). Claim 30 has been further amended to recite that the North American strain is an Iowa strain, selected from the group consisting of the particular isolates previously recited by the claim. Claim 30 has also been amended to recite that the primers selectively amplify the North American strain, but not the European strain, wherein the European strain is Lelystad.

New Claim 41 has also been added, which is dependent on Claim 39, which is directed to a diagnostic kit for assaying PRRSV, wherein the primers amplify not only the Iowa strains, but also the Lelystad strain. The recited pairs of primers, SEQ ID NOS 1 and 2, 3 and 4, 8 and 9, 9 and 10 and 11 and 12, are based on the Lelystad sequence (see, e.g., Figures 8, 9 and 11 as highlighted and attached), yet they still identify VR 2385, an Iowa strain. No new matter has been added.

Prior to addressing the rejections, Applicants would like to thank Examiner Wortman for the courtesy of granting an interview to Applicants' representative on November 3, 2003. During the interview, the above amendments were discussed, as well as the support in the specification and figures for the same. The Examiner indicated that the claim language of amended Claims 30 and new Claim 41 was supported by the specification.

The sole rejection of the claims is under 35 U.S.C. 112, first paragraph, wherein the Examiner alleges that Claims 30, 31, 39 and 40 are not described in the specification. This rejection is respectfully traversed.

As noted above, Claim 30, as presently amended, is very clearly supported at page 41 of the specification, wherein the differential diagnosis of North American (e.g., Iowa strain) and European (e.g., Lelystad) viruses is performed using pairs of primers.

As to Claim 39, specific support for pairs of primers which can identify both the Iowa strain and the Lelystad strain can be found at pp. 88-89 of the specification. These primer pairs (SEQ ID NOS 8 and 9, 9 and 10, and 11 and 12) were based on the Lelystad sequence, but were effective at identifying Iowa strain VR 2385 (see p. 89, ll. 1-5 of the specification).

As such, Applicants submit that the claims are fully described by the specification. Withdrawal of this rejection is therefore respectfully requested.

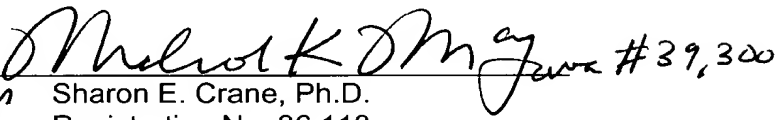
Further and favorable action in the form of a Notice of Allowance is believed to be in order, and is earnestly solicited.

If the Examiner has any questions regarding this amendment, or the application in general, she is encouraged to contact the undersigned directly so that prosecution may be expedited.

Respectfully submitted,
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Date: December 8, 2003

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